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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Information received from the Government of Canada on the measures taken in response to the inquiry concerning Canada of the Committee on the Elimination of Discrimination against Women under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women*

I. Introduction

1. On 4 August 2015, Canada received a request from the Committee on the Elimination of Discrimination against Women (the Committee), pursuant to Articles 8 and 9(2) of the *Optional Protocol* to the *Convention on the Elimination of All Forms of Discrimination against Women* (the *Convention*), to provide written information on the measures taken to implement the recommendations in its inquiry report on the issue of missing and murdered Indigenous women and girls in Canada (CEDAW/C/OP.8/CAN/1). The Committee also requested that Canada reconsider its position as regards the recommendations that it had not accepted in its February 2015 response to the inquiry report (CEDAW/C/OP.8/CAN/2).

II. Recent developments at the federal level

2. Since the submission of its observations on the inquiry report, Canada has held a federal election that led to a change in the leadership of the Government of Canada. The new federal government, which was sworn in on 4 November 2015, appointed new Ministers in areas of crucial importance to addressing the issue of violence against Indigenous women and girls, including Indigenous and northern affairs, justice, public safety, and the status of women.

3. The Government of Canada is committed to renewing its engagement with international human rights treaty bodies. It is also committed to a renewed nation-to-nation relationship with Indigenous Peoples based on recognition, rights, respect,

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co-operation, and partnership, and to making real progress on issues like community safety, policing, housing, employment, health, child welfare, and education.

4. As part of its renewed approach to reconciliation with Indigenous peoples, the Government of Canada is committed to implementing the calls to action contained in the final report of the Truth and Reconciliation Commission of Canada (TRC), which was released on December 15, 2015.[1] The TRC was established as part of the Indian Residential Schools Settlement Agreement between the Government of Canada and survivors of the Indian Residential Schools System. Its mandate was to reveal the complex truth, history and ongoing legacy of the schools, and to guide and inspire a process of truth and healing.

5. The Commission's final report contained 94 recommendations, calling upon the Government of Canada and others to address a wide range of socioeconomic issues affecting Indigenous Canadians, such as child welfare, education, language and culture, health, and the justice system. The Government of Canada will work, in partnership with Indigenous communities, the provincial and territorial governments, and other vital partners, to implement the recommendations, including giving domestic effect to the *United Nations Declaration on the Rights of Indigenous Peoples*.

6. The Government of Canada is also committed to addressing the serious issue of the high number of missing and murdered Indigenous women and girls in Canada. The Minister of Indigenous and Northern Affairs and the Minister of Justice and Attorney General of Canada, with support from the Minister of Status of Women, have been mandated to launch an inquiry into missing and murdered Indigenous women and girls to seek recommendations on concrete actions that governments, police services, and others can take to address and prevent violence against Indigenous women and girls.[2] The launch of a national inquiry is part of Canada's commitment to implementing the TRC's recommendations, and to renewing its dialogue with Indigenous Peoples, on the one hand, and international bodies, on the other.

7. The Government of Canada also places a high priority on improving its partnerships with provincial, territorial and municipal governments to address issues of fundamental importance to Canadians, including violence against Indigenous women and girls.

III. Canada's position on the recommendations of the inquiry report

8. The high rate of murders and disappearances of Indigenous women and girls is an ongoing national tragedy that must be brought to an end.

9. The Government of Canada welcomes the totality of the Committee's 2015 inquiry report and takes its obligations under the Convention very seriously. The report's findings and recommendations provide a useful framework to inform Canada's ongoing actions to address the issue of violence against Indigenous women

[1] Truth and Reconciliation Commission of Canada, *Final Report* (2015), online: http://goo.gl/Pe4WUT.

[2] Office of the Prime Minister, *Ministerial Mandate Letters* (2015), online: http://goo.gl/9gI4Ve.

and girls. Consistent with its approach to Indigenous issues generally, the Government of Canada will be taking a holistic approach to give effect to the inquiry report's recommendations moving forward. In Canada's view, the report's recommendations are indivisible and interrelated, and cannot be understood or realized in isolation.

IV. Recent federal, provincial and territorial action to combat violence against indigenous women and girls

10. In its February 2015 response, Canada outlined the many actions being taken at all levels of government to end the epidemic of violence against Indigenous women and girls. Canada takes this opportunity to highlight several significant measures underway since February 2015 to give effect to the Committee's recommendations.

Launch of a National Public Inquiry

11. In December 2015, the Government of Canada announced the launch of a national public inquiry into missing and murdered Indigenous women and girls. The inquiry will be a critical step in identifying the concrete and coordinated actions that are needed to respond to violence against Indigenous women and girls and to prevent future violence.

12. Canada believes that an inquiry into missing and murdered Indigenous women and girls can only be designed after hearing from those directly affected, including those who have survived violence, the families and loved ones of victims, National Indigenous organizations and communities, and others. Accordingly, the Government of Canada is currently engaging across the country with families, survivors, and organizations through in-person meetings and online forums, to seek their views on the inquiry's possible mandate, terms of reference, format and timeline. The views and ideas expressed by participants will be taken into account in designing the inquiry. The Government of Canada is also consulting with provincial and territorial governments. The government will complete this pre-inquiry design phase in spring 2016.[3]

13. National Indigenous organizations, women's organizations, families of victims and survivors of violence will also be invited to meaningfully participate throughout the inquiry. The Government of Canada is committed to ensuring that the inquiry process is inclusive. Collaboration and consultation with affected families and communities are essential to effectively tackle violence against Indigenous women and girls.

14. The Government of Canada is also committed to taking into account the recommendations of expert bodies, including the Committee, in designing the inquiry. The government's goal is to create an inquiry that balances a diversity of approaches to achieve concrete recommendations. On 1 February 2016, international human rights experts, including representatives of the Committee, met with the Minister of Indigenous and Northern Affairs, the Minister of Justice and the Minister of Status of Women to provide specific recommendations on the design of the inquiry.

[3] Government of Canada, *National Inquiry into Missing and Murdered Indigenous Women and Girls*, online: https://goo.gl/RkqJ3s.

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Ongoing Efforts to Address Violence against Indigenous Women and Girls

15. As the inquiry is being designed, Canada continues to take action to prevent violence, support Indigenous survivors and victims, protect Indigenous women and girls from violence, and investigate and punish violent offences. The federal government continues to invest in these areas, including through community-based violence prevention initiatives.

16. By way of example, the Government of Canada has committed to expanding Canada's existing network of shelters and transition houses to ensure that no survivor of family violence is left without a place to turn.[4] This commitment is aimed, in part, at ensuring that women and girls are not left vulnerable to further violence while fleeing abuse. The Government of Canada has also committed to toughening criminal laws and bail conditions in cases of domestic assault,[5] and has launched a national public awareness campaign on the domestic sex trafficking of Indigenous people living on- and off-reserve, and in rural, urban, and Northern communities.

17. The Royal Canadian Mounted Police (RCMP) also remains committed to solving outstanding cases of missing and murdered Indigenous women, and continues work on its National Operational Overview, the most comprehensive account of missing and murdered Indigenous women in Canada to date.[6] The RCMP has already updated its reporting policies and practices to ensure better data collection on the Indigenous origin of victims of violent crimes.

18. Furthermore, the RCMP is engaging with provinces and territories, Indigenous groups and other partners on national and locally-tailored intervention and crime prevention programs. It is focusing its prevention and intervention efforts on family violence and youth empowerment to reduce violence against Indigenous women and girls.

19. Moving forward, the Government of Canada has pledged to review existing gender- and culturally-sensitive training policies for federal front-line law enforcement officers to ensure that they are strong and effective.[7]

20. Provincial and territorial governments are also taking action to combat violence against Indigenous women. Initiatives launched since the submission of Canada's last report include:

- In February 2016, the Ontario government released *Walking Together: Ontario's Long-Term Strategy to End Violence Against Indigenous Women*, which outlines actions to prevent violence against Indigenous women and reduce its impact on youth, families and communities. The government has committed $100 million over three years in new funding to support implementation of the strategy, which it developed in collaboration with Indigenous partners of Ontario's Joint Working Group on Violence Against Aboriginal Women. The new strategy builds on the existing work of

[4] *Ministerial Mandate Letters, supra.*
[5] Ibid.
[6] Royal Canadian Mounted Police, *Missing and Murdered Aboriginal Women: A National Operational Overview*, online: http://goo.gl/FR9gVF.
[7] *Ministerial Mandate Letters, supra.*

Indigenous partners, community organizations and government to raise awareness of and prevent violence; provide more effective programs and community services that reflect the priorities of Indigenous leaders and communities; and improve socioeconomic conditions that support healing within Indigenous communities.

- The Province of British Columbia has released the Vision for a Violence Free BC Strategy, which combines immediate actions with a long-term vision to end violence against women in the province. Through the Strategy, British Columbia has invested $824,711 to support projects focused on addressing violence against Indigenous women and girls.
- The Yukon Territory has provided $200,000 in funding to five culturally relevant initiatives designed and developed by and for Indigenous women, as a key strategy in taking collective action on violence against Indigenous women. These five projects are called: A Safe Place (Victoria Faulkner Women's Centre); Building a Circle of Response-Based Practice (Liard Aboriginal Women's Society); Prevention of Violence Against Women in Pelly Crossing (Selkirk First Nation); Walking With Our Sisters Community Programming (Kwanlin Dün Cultural Centre); and Women of Wisdom (Skookum Jim Friendship Centre).
- In 2015, the governments of Québec and Ontario provided financial support for gatherings of loved ones of missing or murdered Indigenous women in their respective provinces. Both events gave these loved ones an opportunity to present their views on how to better prevent and address violence against Indigenous women. Funding from the provinces also enabled the organizers of these events, Québec Native Women and the Chiefs of Ontario, to release reports recommending solutions to the issue.
- Manitoba has hosted national gatherings focused on violence against Indigenous women and girls, including the Wiping Away the Tears Gathering, for families of missing and murdered Indigenous women and girls, in September 2015, and the National Justice Practitioners' Forum, for practitioners from police agencies, the criminal justice system and victims services, in January 2016.

Coordination of Efforts between Federal, Provincial and Territorial Governments

21. On 21 January 2016, Canada's federal, provincial and territorial Ministers Responsible for Justice and Public Safety met to discuss priority issues, including violence against Indigenous women and girls. The Ministers expressed strong support for the National Inquiry into Missing and Murdered Indigenous Women and Girls, and approved the *Justice Framework to Address Violence against Indigenous Women and Girls* (the Justice Framework).[8] The Justice Framework acknowledges the strained relationship between Indigenous Canadians and the justice system, and identifies principles and priorities to help guide Ministers' focus as they take action

[8] Federal-Provincial-Territorial Ministers Responsible for Justice and Public Safety, *Justice Framework to Address Violence against Indigenous Women and Girls*, 21 January 2016, online: http://goo.gl/E0YBGy.

with Indigenous Peoples and other key partners to improve how the justice system prevents and responds to violence against Indigenous women and girls. The guiding principles identified in the Framework include: reconciliation and building trust, respect for human rights, community-based solutions; and changing attitudes and behaviours. The ministers acknowledged that the Justice Framework, which is informed by numerous reports and discussions with Indigenous Peoples, can be updated to incorporate additional findings, including those from the National Inquiry. Ministers agreed to continue their important collaboration, including putting the Justice Framework into action in accordance with jurisdictional priorities.

Coordination of Efforts with Non-Governmental Stakeholders

22. On 27 February 2016, federal, provincial and territorial governments participated in the second National Roundtable on Missing and Murdered Indigenous Women and Girls. At the first National Roundtable, in February 2015, federal, provincial, and territorial governments, national Indigenous organizations, and representatives of families of missing and murdered Indigenous women met to identify areas for action on the issue of violence against Indigenous women. At the conclusion of the Roundtable, the *Framework for Action to Prevent and Address Violence Against Indigenous Women and Girls* was endorsed by all participants. It identifies three priority areas for action: prevention and awareness, community safety, and policing measures and justice responses. The National Roundtable continues to be a vital forum for governments to engage with non-governmental stakeholders on violence against Indigenous women and girls.

V. Conclusion

23. Violence against Indigenous women and girls is an ongoing issue of national concern. Canada is committed to addressing it as a matter of priority. Canada would like to reiterate its appreciation for the Committee's work, and its strong commitment to implementing its obligations under the *Convention*. Canada is committed to using existing recommendations, including the CEDAW's inquiry report, to inform its national inquiry and the concrete plan of action that is expected to result from it.

24. Moving forward, Canada intends to keep the Committee apprised of its efforts on this matter in the context of its periodic reporting pursuant to Article 18 of the *Convention*, beginning with the presentation of its 8th and 9th periodic reports in October 2016.